

**U.S. District Court  
DISTRICT OF KANSAS (Topeka)  
CIVIL DOCKET FOR CASE #: 5:19-cv-04057-HLT-GEB**

Norris et al v. United States Army  
Assigned to: District Judge Holly L. Teeter  
Referred to: Magistrate Judge Gwynne E. Birzer  
Case in other court: Geary County District Court,  
2019-MV-000028

Cause: 28:1442 Petition for Removal

Date Filed: 07/16/2019  
Date Terminated: 08/16/2019  
Jury Demand: None  
Nature of Suit: 895 Freedom of  
Information Act  
Jurisdiction: U.S. Government Defendant

**Plaintiff**

**Brittney Norris**  
*as mother and natural parent of  
minor*  
W. N.

represented by **Peter C. Rombold**  
Hoover, Schermerhorn, Edwards, Pinaire  
& Rombold  
811 North Washington Street  
Junction City, KS 66441  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Plaintiff**

**Zachary Norris**  
*as father and natural parent of  
minor*  
W. N.

represented by **Peter C. Rombold**  
(See above for address)  
**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

V.

**Defendant**

**United States Army**  
*Secretary Department of the Army*

represented by **Wendy A. Lynn**  
U.S. District Court – Kansas City  
500 State Avenue  
Kansas City, KS 66101  
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**LEAD ATTORNEY**  
**ATTORNEY TO BE NOTICED**

**Christopher Allman**  
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**ATTORNEY TO BE NOTICED**

Date Filed	#	Docket Text
07/16/2019	<u>1</u>	NOTICE OF REMOVAL from Geary County District Court, case number 2019-MV-000028 Trial location of Topeka, filed by United States Army.(Allman, Christopher) (Additional attachment(s) added on 7/16/2019: # <u>1</u> Redacted Main Document) (jal). (Entered: 07/16/2019)

07/16/2019	<u>2</u>	CIVIL COVER SHEET by Defendant United States Army. (Allman, Christopher) (Entered: 07/16/2019)
07/16/2019	<u>3</u>	DESIGNATION OF PLACE OF TRIAL filed by Defendant United States Army – trial to be held in Topeka. (Allman, Christopher) (Additional attachment(s) added on 7/16/2019: # <u>1</u> Redacted Main Document) (jal). (Entered: 07/16/2019)
07/16/2019	<u>4</u>	CERTIFICATE OF SERVICE of Notice of Removal, Civil Cover Sheet, and Designation of Place of Trial <i>as Amended</i> by United States Army re <u>1</u> Notice of Removal, <u>2</u> Civil Cover Sheet, <u>3</u> Designation of Place of Trial. (Allman, Christopher) (Additional attachment(s) added on 7/16/2019: # <u>1</u> Redacted Main Document) (jal). (Entered: 07/16/2019)
07/16/2019		NOTICE OF JUDGE ASSIGNMENT: Case assigned to District Judge Holly L. Teeter and Magistrate Judge Gwynne E. Birzer for all proceedings. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (jal) (Entered: 07/16/2019)
07/22/2019	<u>5</u>	MOTION to Dismiss for Lack of Jurisdiction by Defendant United States Army (Allman, Christopher) (Entered: 07/22/2019)
07/22/2019	<u>6</u>	MEMORANDUM IN SUPPORT of <u>5</u> MOTION to Dismiss for Lack of Jurisdiction by Defendant United States Army(Allman, Christopher) (Entered: 07/22/2019)
07/22/2019	<u>7</u>	ENTRY OF APPEARANCE by Wendy A. Lynn on behalf of United States Army (Lynn, Wendy) (Entered: 07/22/2019)
08/05/2019	<u>8</u>	STATE COURT RECORDS from Geary County District Court. (Allman, Christopher) (Entered: 08/05/2019)
08/06/2019	<u>9</u>	ORDER. The undersigned Magistrate Judge communicated to counsel, via letter dated July 24, 2019 regarding deferred scheduling of this case. Having received no objection from Plaintiff and no response from Defendant, the initial order and scheduling in this case shall be deferred pending ruling on the Motion to Dismiss (ECF No. 5). IT IS SO ORDERED. Signed by Magistrate Judge Gwynne E. Birzer on 8/6/2019. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(rel) (Entered: 08/06/2019)
08/12/2019	<u>10</u>	MOTION for extension of time to file response by Plaintiffs Brittney Norris, Zachary Norris. (Additional attachment(s) added on 8/14/2019: # <u>1</u> Correct Motion to Continue) (msb). (Entered: 08/12/2019)
08/12/2019		<b>MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>10</u> MOTION for extension of time . The motion will be resolved by the District Judge.(rel)</b> (Entered: 08/12/2019)
08/13/2019	<u>11</u>	ORDER granting <u>10</u> Motion for Extension of Time to File Response to <u>5</u> MOTION to Dismiss for Lack of Jurisdiction. Response deadline 8/26/2019. Entered by District Judge Holly L. Teeter on 8/13/19. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (msb) Corrected District Judge on 8/13/2019 (msb). (Entered: 08/13/2019)
08/13/2019	<u>12</u>	(PLEASE DISREGARD THIS ENTRY AS IT WAS FILED IN ERROR) MOTION for Extension of Time to File Motion to Dismiss as to <u>11</u> Order on Motion for Extension of Time to File Response/Reply, by Plaintiffs Brittney Norris, Zachary Norris (referred to Magistrate Judge Gwynne E. Birzer) (Rombold, Peter) Modified text on 8/14/2019 (msb). (Entered: 08/13/2019)
08/13/2019		<b>MOTION REFERRAL to Magistrate Judge REMOVED as to: <u>12</u> MOTION for Extension of Time to File Motion to Dismiss as to <u>11</u> Order on Motion for Extension of Time to File Response/Reply, . The motion will be resolved by the District Judge.(rel)</b> (Entered: 08/13/2019)
08/14/2019		<b>DOCKET ANNOTATION:</b> Please disregard docket entry <u>12</u> MOTION for Extension of Time as it was filed in error. Corrected motion has been attached to docket entry <u>10</u> MOTION for Extension of Time and docket entry <u>11</u> Order on Motion for Extension of Time grants docket entry <u>10</u> Motion for Extension of Time. See docket entry <u>10</u> and <u>11</u> . (msb) (Entered: 08/14/2019)

08/15/2019	<u>13</u>	MOTION to Dismiss by Plaintiffs Brittney Norris, Zachary Norris (Rombold, Peter) (Entered: 08/15/2019)
08/16/2019	14	ORDER granting <u>13</u> MOTION to Dismiss. Plaintiffs move to dismiss the case. Counsel for defendant has stated in an email that defendant does not oppose the motion. After reviewing the record, the applicable law, and the email, the Court grants the motion. This case is dismissed without prejudice. All pending motions are denied without prejudice. Signed by District Judge Holly L. Teeter on 8/16/2019. (This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.)(md) (Entered: 08/16/2019)
08/16/2019		<b>***Civil Case Terminated.(ctv)</b> (Entered: 08/16/2019)